

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**ROBERT D. FORD,**  
Plaintiff

v.

**CITY OF HARRISBURG, et al.,**  
Defendants

:  
:  
:  
:  
:  
:  
:

**No. 1:17-cv-00908**

**(Judge Kane)**

**(Magistrate Judge Carlson)**

**ORDER**

**AND NOW**, on this 16th day of September 2019, in accordance with the Memorandum issued concurrently with this Order, and upon independent review of the record and the applicable law, **IT IS ORDERED THAT:**

1. The Court **ADOPTS** in part the Report and Recommendation (Doc. No. 41) of Magistrate Judge Carlson insofar as it recommends that this Court dismiss counts 4 and 5 of Plaintiff's amended complaint;
2. Defendants' Motion to Dismiss (Doc. No. 28) is **GRANTED** with respect to counts 1, 2, 4, and 5 of Plaintiff's amended complaint, and those counts are **DISMISSED WITH PREJUDICE**;
3. Plaintiff's pendent state law claims (counts 3, 6 and 7) are **DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. § 1367(c)(3); and
4. The Clerk of Court is directed to **CLOSE** this case.

s/ Yvette Kane  
Yvette Kane, District Judge  
United States District Court  
Middle District of Pennsylvania